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THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 17358 of 2005

DATED:08-08-2005

Between:

T.Neelakantam

..... PETITIONER

AND

1. The Regional Manager, APSRTC, Srikakulam Region,

Srikakulam and 2 others.

.....RESPONDENTS

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HONOURABLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO:17358 of 2005

ORDER:

This writ petition is filed by the petitioner aggrieved by the action of the third

respondent-Depot Manager, Palasa, in passing as many as five orders on the same day without conducting any enquiry, imposing five punishments of stoppage of one annual increment with cumulative effect, which was confirmed by the respondents 1 and 2.

2. The imposition of a punishment of withholding of annual increment with cumulative effect is a major penalty, which the disciplinary authority is not entitled to impose, unless a regular departmental enquiry is conducted. In the present case, the third respondent passed as many as five orders and in all orders reference was made to an alleged misappropriation of Rs.5,375/- in addition to the short remittance of varying amounts on various dates.

3. Under the above circumstances, without going into the merits of the case, as the impugned order was passed in violation of the principles of natural justice, all the five orders are set aside and the matter is restored to the file of the third respondent to conduct regular departmental enquiry with reference to the alleged charges and only thereafter, the third respondent shall pass appropriate orders.

4. The writ petition is accordingly disposed of. No order as to costs.

S.ANANDA REDDY, J

08th August, 2005

SKM